

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

KWESI MUHAMMAD,  
Plaintiff,

v.

CHRISTINE BARBER,  
Defendant.

No. 2:19-cv-02592-TLN-EFB

**ORDER**

Plaintiff Kwesi Muhammad (“Plaintiff”), a state prisoner proceeding *pro se*, originally filed this action in the Superior Court of California, County of San Joaquin, and Defendant Christine Barber (“Defendant”) removed it to this Court on December 23, 2019. (ECF No. 1.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 22, 2020, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 18.) Plaintiff has filed objections to the findings and recommendations. (ECF No. 19.)

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed *de novo*. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983); *see also* 28

1 U.S.C. § 636(b)(1).

2 The Court has reviewed the file and finds the findings and recommendations to be  
3 supported by the record and by the magistrate judge's analysis.

4 Accordingly, IT IS HEREBY ORDERED that:

5 1. The findings and recommendations filed September 22, 2020 (ECF No. 18), are  
6 ADOPTED IN FULL;

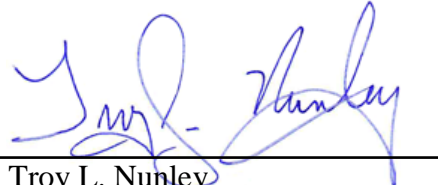
7 2. Plaintiff's second amended complaint (ECF No. 17) is DISMISSED for failure to state  
8 a cognizable claim; and

9 3. The Clerk is directed to close the case.

10 IT IS SO ORDERED.

11 DATED: October 26, 2020

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Troy L. Nunley  
United States District Judge